

AMENDED IN ASSEMBLY JANUARY 4, 2010

AMENDED IN ASSEMBLY APRIL 22, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 424

Introduced by Assembly Member Torres

February 23, 2009

~~An act to add Section 22761 to the Business and Professions Code, and to add Section 53115.4 to the Government Code, all services. An act to add Section 53114.5 to the Government Code, relating to the 911 emergency response system.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 424, as amended, Torres. ~~Mobile radio service; 911 services; disclosures. Warren-911-Emergency Assistance Act: public education campaign.~~

The Warren-911-Emergency Assistance Act requires every local public agency to establish and operate, or to be a part of, an emergency telephone system using the digits "911," and creates the State 911 Advisory Board to assist in facilitating the purpose of the act to establish the number 911 as the primary emergency telephone number statewide.

This bill would require the office of the State Chief Information Officer to develop and implement a public education campaign to instruct the public on the appropriate and inappropriate uses of the 911 emergency response system.

~~(1) Existing law makes it unlawful to sell any cordless telephone manufactured after January 1, 1992, that does not provide increased protection from unintentional line seizure and dialing, and protection from unintentional ringing. Existing law also requires sellers of specified~~

telephone equipment to disclose whether the equipment employs pulse, tone, pulse-or-tone, or other signaling methods, and to provide a general description of the services it can or cannot access.

~~This bill would require any person providing commercial mobile radio service to disclose, orally and in writing, whether the service includes Phase I enhanced 911 service and Phase II enhanced 911 service as specified by the Federal Communications Commission. The bill would also require any person providing handsets not capable of providing these services, to undertake a public education campaign regarding the limitation of these handsets, as specified.~~

~~(2) Under existing law, the State 911 Advisory Board advises the Telecommunications Division of the Department of General Services on various subjects, including, but not limited to, policies, practices, and procedures for the California 911 Emergency Communications Office and training standards for county coordinators and Public Safety Answering Point managers.~~

~~This bill would require the State 911 Advisory Board to assist the Telecommunications Division in developing a public education campaign to instruct the public on appropriate and inappropriate uses of the 911 system, and to recommend to the Telecommunications Division how to incorporate the campaign into specified plans and funds.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *Calling 911 is the primary way of initiating communication*
- 4 *between the public and public safety and law enforcement*
- 5 *responders.*
- 6 (b) *The 911 emergency response system in California is facing*
- 7 *multiple challenges in meeting the needs of the public, including*
- 8 *rapidly evolving communications technologies, under-staffing of*
- 9 *public safety answering points, budget constraints, and technical*
- 10 *limitations of the current systems. Due to these challenges, the*
- 11 *state's 911 emergency response system is failing to meet minimum*
- 12 *standards for response in some areas, and jeopardizing the health*
- 13 *and safety of Californians.*

1 (c) The public can participate in addressing some of these
2 challenges by increasing their knowledge of appropriate and
3 inappropriate uses of the 911 emergency response system, and the
4 characteristics of the communication systems they use to access
5 the 911 emergency response system.

6 (d) The responsible state entities should undertake a public
7 education campaign to increase the public's knowledge and assist
8 the public in making effective use of the 911 emergency response
9 system, thereby improving the performance of the entire 911
10 emergency response system.

11 SEC. 2. Section 53114.5 is added to the Government Code, to
12 read:

13 53114.5. (a) The office of the State Chief Information Officer
14 shall develop and implement a public education campaign to
15 instruct the public on appropriate and inappropriate uses of the
16 911 emergency response system. The public education campaign
17 may include any of the following:

18 (1) Education programs designed to help members of the public
19 distinguish emergencies that require a 911 call from
20 nonemergencies that can be handled through other types of
21 requests for information and response.

22 (2) Education programs about alternative systems, such as 211
23 and 311, that can provide nonemergency assistance to the public.

24 (3) Education programs designed to help members of the public
25 understand what information they can provide when calling 911
26 to assist the 911 relay operator or dispatcher, including, but not
27 limited to, the caller's phone number, the caller's location, and a
28 brief description of the emergency.

29 (4) Any other matters that the office deems appropriate or that
30 the advisory board recommends and the office approves.

31 (b) The costs to develop and implement the public education
32 campaign shall be costs of administration within the meaning of
33 paragraph (3) of subdivision (a) of Section 41136 of the Revenue
34 and Taxation Code, so long as these costs directly relate to the
35 911 emergency telephone number system, and shall be funded
36 upon an appropriation by the Legislature for that purpose.

37 ~~SECTION 1. Section 22761 is added to the Business and~~
38 ~~Professions Code, to read:~~

39 ~~22761. (a) Any person providing commercial mobile radio~~
40 ~~service within this state shall prominently disclose whether the~~

1 handset service includes Phase I enhanced 911 service and Phase
2 H enhanced 911 service as specified by the Federal
3 Communications Commission in Section 20.18 of Title 47 of the
4 Code of Federal Regulations, including any disclaimers with
5 respect to these services contained in the provider's service or
6 sales agreement. The disclosure shall be made both orally and in
7 writing as part of the sales communication, and in the same
8 language as the sales communication.

9 (b) Any person that provides a nonservice initialized handset
10 or a 911-only handset as defined in Section 20.18(k)(3) of Title
11 47 of the Code of Federal Regulations, where the handset is not
12 capable of providing Phase I or Phase H enhanced 911 service,
13 shall undertake a public education campaign regarding the
14 limitation of these handsets, in the same language as the sales
15 communication.

16 (c) The purpose and form of the public education campaign
17 shall be to assist the users of commercial mobile radio service to
18 make effective use of 911 by supplying information about the
19 capability of the phone service they are receiving.

20 SEC. 2. Section 53115.4 is added to the Government Code, to
21 read:

22 53115.4. The State 911 Advisory Board shall assist the
23 Telecommunications Division of the Department of General
24 Services in developing a public education campaign to instruct the
25 public on appropriate and inappropriate uses of the 911 system;
26 and the advisory board shall recommend to the
27 Telecommunications Division how to incorporate the campaign
28 into the plans which the division approves pursuant to Section
29 53115 or how to incorporate the campaign into the funds described
30 in Sections 41030 and 41136 of the Revenue and Taxation Code.
31 The public education campaign may include:

32 (a) Education programs useful for helping members of the public
33 to distinguish emergencies which require a call to 911 from
34 nonemergencies that can be handled through other types of requests
35 for information or response.

36 (b) Education programs for members of the public who are 911
37 callers about information they can provide to assist the 911 relay
38 operator or dispatcher, including, but not limited to, a calling
39 number, caller location, or a brief description of the emergency.

- 1 ~~(e) Education programs aimed specifically at informing~~
- 2 ~~schoolage children about appropriate and inappropriate uses of~~
- 3 ~~911.~~
- 4 ~~(d) Education and information protocols for first responders~~
- 5 ~~who receive calls relayed by the 911 dispatchers to enable them to~~
- 6 ~~respond appropriately to 911 calls.~~
- 7 ~~(e) Any other matters that the advisory board recommends.~~

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